

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

STEVEN M. SKOIEN,

08-cr-12-bbc

Defendant.

Before the court is defendant Steven M. Skoien's motion to dismiss the indictment on the ground that the charged statute, 18 U.S.C. § 922(g)(9) violates the second amendment to the United States Constitution. *See* Dkt. 14. Counsel candidly acknowledges that the current law of this circuit forecloses his argument. *See Gillespie v. City of Indianapolis*, 185 F.3d 693, 710-12 (7th Cir. 1999); *United States v. Price*, 328 F.3d 958, 961 (7th Cir. 2003). Counsel, however, wishes to preserve the issue for appeal in light of the Supreme Court's recent interest in the reach of the Second Amendment. *See District of Columbia v. Heller*, ___ U.S. 128 S.Ct. 645 (2007). Duly noted.

IT IS ORDERED that defendant Steven Skoien's motion to dismiss the indictment is DENIED.

Entered this 21st day of April, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge